

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Joshua Banks,

Civil No. 07-1760 (RHK/JSM)

Plaintiff,

ORDER OF DISMISSAL

v.

Apria Healthcare, Inc.

Defendant.

Pursuant to the Stipulation of Dismissal of the parties (Doc. No. 8), it is hereby **ORDERED** that this action, including all claims and counterclaims, is **DISMISSED WITH PREJUDICE**. Each party is to bear its own attorney's fees, costs and disbursements.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 18, 2007

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge